

City of Northampton

MASSACHUSETTS

In City Council, January 15, 2015

Upon recommendation of the Mayor

Ordered, that

WHEREAS, a petition has been duly filed to layout and accept Scanlon Avenue as a public way; and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended laying out and accepting Scanlon Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise, an easement in and over the parcels of land shown as shown as "Cooke Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated July 29, 2014, for the purpose of laying out, establishing and accepting public ways thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels to be acquired hereunder.

And further, that no damages shall be payable as a result of the any taking authorized herein and no betterments shall be assessed as a result of the laying out, establishing and accepting such public way.

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Scanlon Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated July 29, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this day of , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

William H. Dwight
AT-LARGE COUNCILOR

Jesse M. Adams
AT-LARGE COUNCILOR

Maureen T. Carney
WARD 1 COUNCILOR

Paul D. Spector
WARD 2 COUNCILOR

Ryan R. O'Donnell
WARD 3 COUNCILOR

Gina-Louise Sciarra
WARD 4 COUNCILOR

David A. Murphy
WARD 5 COUNCILOR

Marianne L. LaBarge
WARD 6 COUNCILOR

Alisa Klein
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on 2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this day of , 2014.

Pamela L. Powers
Clerk to City Council
City of Northampton, Massachusetts

EXHIBIT A

Beginning at a point marked by an iron pipe found, said point marks the northeasterly corner of a parcel, now or formerly Jonathan H. & Lynne S. Brill, as described in a deed recorded in Book 2028 Page 338, said point being located on the westerly side line of Bliss Street, said point bearing as a tie course N 06°33'46" E a distance of 205.26 feet from an iron pin found, said point being the southeasterly corner of the parcel herein described

Thence running S 88°23'50" W along said Brill, land now or formerly Rand W. & Susan M. Bristol, as described in a deed recorded in Book 3621 Page 68, a distance of 417.91 feet to a point, said point being on the northerly line of Bristol, said point being on the southerly line of the parcel here in described, thence;

S 66°00'13" W through said Bristol, a distance of 55.90 feet to a point, said point being on the southerly line of the parcel herein described, thence;

S 30°18'15" W through said Bristol, a distance of 50.00 feet to a point, said point being on the easterly side line of Florence Road, said point being the southwesterly corner of the parcel here in described, thence;

N 09°47'03" E along said Florence Road, a distance of 45.09 feet to a point, said point being on the westerly line of the parcel here in described, thence;

N 01°39'22" W along said Florence Road, a distance of 41.54 feet to a point, said point bearing S 01°39'22" E a distance of 11.00 feet from an iron rod found which marks the southwesterly corner of land now or formerly Kristen R. Wilmer, as described in a deed recorded in Book 11654 Page 119, said point being the northwesterly corner of the parcel here in described, thence;

N 88°23'50" E, a distance of 69.25 feet to a point, said point being on the northerly line of the parcel here in described, thence;

N 01°36'10" W, a distance of 11.00 feet to a point, said point being on southerly line of Wilmer, said point being on the northerly line of the parcel here in described, thence;

Thence running N 88°23'50" E along said Wilmer, land now or formerly Elizabeth B. Fitzpatrick, as described in a deed recorded in Book 11626 Page 194, a distance of 422.64 feet to a point, said point being on the westerly line of Bliss Street said point being the southeast corner of Fitzpatrick, said point being the northwesterly corner of the parcel here in described, thence;

S 06°33'46" W, a distance of 33.34 feet to the point of beginning.

The above described parcel contains 16,696 square feet more or less, being depicted as Scanlon
14.317

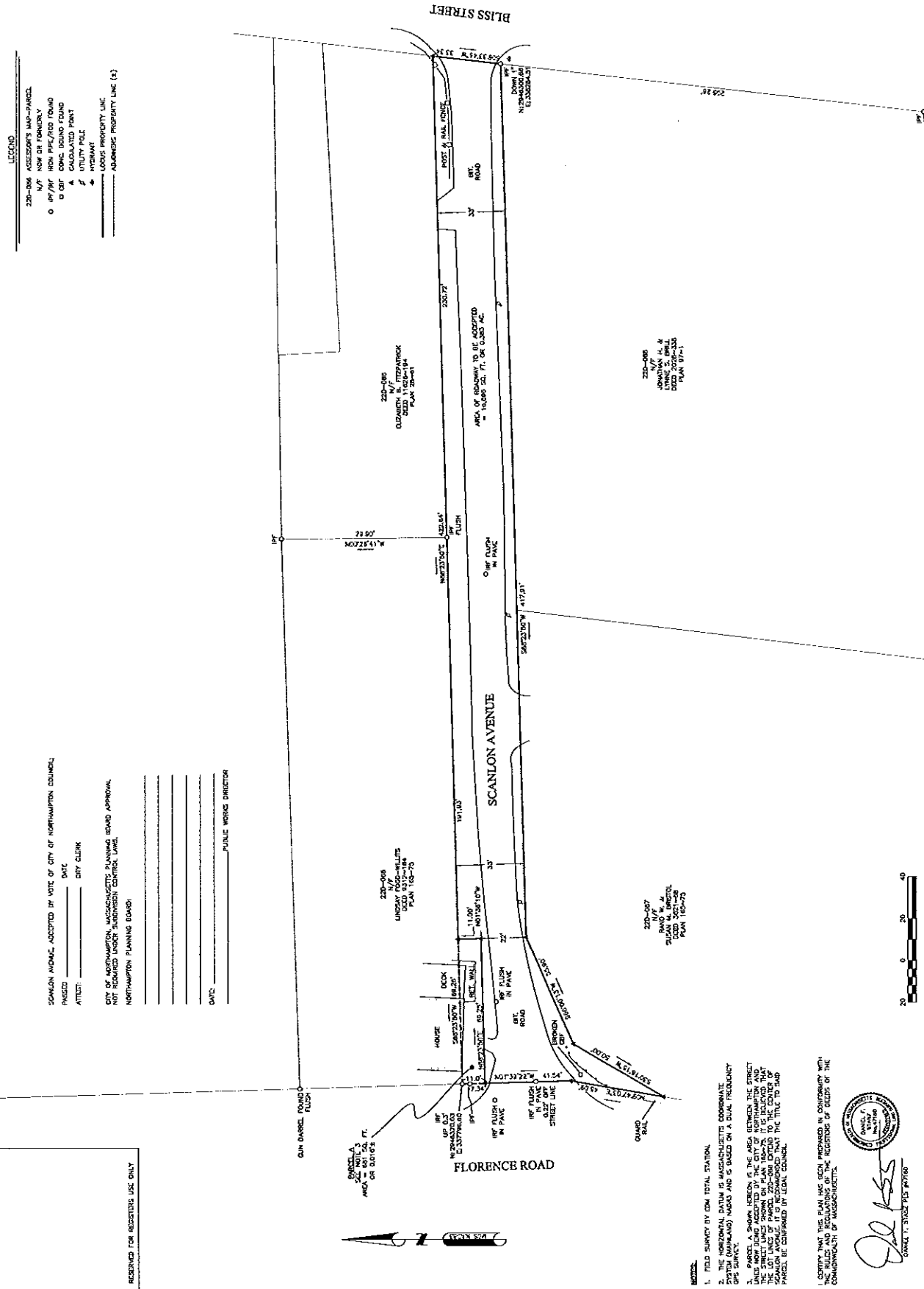
Avenue, on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 07-29-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83
All Book and Page numbers recited are referenced to the Hampshire Registry District

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 11654, Page 117, Book 11626, Page 194, Book 2028, Page 338, Book 3621, Page 68.

PLAN OF LAND IN
NORTHAMPTON, MA
HAMPSHIRE COUNTY
PREPARED FOR THE
CITY OF NORTHAMPTON

SURVEYOR:	D.S.
DRAWING:	D.S.
FIELD WORK:	NAE
PROJECT NUMBER:	13-008, 31
DATE:	13-008, 31.DWG
	07-29-2014



SCARLON AVENUE, ACCEPTED BY VOTE OF CITY OF NORTHAMPTON COUNCIL;

PASSING: _____ DATE: _____
ATTENT: _____ CITY CLERK: _____

CITY OF NORTHAMPTON, MASSACHUSETTS PLANNING BOARD APPROVAL
NOT REQUIRED UNDER SUBMISSION CONTROL LAWS,
NORTHAMPTON PLANNING BOARD

DATE: _____ PUBLIC WORKS DIRECTOR _____

RESERVED FOR REGISTERED USE ONLY

NOTES:

1. FIELD SURVEY BY COM TOTAL STATION.
2. THE HORIZONTAL DATUM IS MASSACHUSETTS COORDINATE SYSTEM (NAD83) AND IS BASED ON A DUAL FREQUENCY GPS SURVEY.
3. PARCEL A SHOWN HEREON IS THE AREA BETWEEN THE STREET LINES NOW BEING ACQUIRED BY THE CITY OF NORTHAMPTON AND THE STREET LINES SHOWN ON PLAN 160-75. IT IS BELIEVED THAT THE LOT LINES OF PARCEL 270-086 EXTEND TO THE CENTER OF THE LOT LINES OF PARCEL 270-086. THEREFORE, THE TITLE TO SAID PARCEL BE CONVEYED IN FULL CONFORMITY.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



DATE: 12/20/2010



CITY OF NORTHAMPTON, MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS
125 Locust Street
Northampton, MA 01060-2066

413-587-1570
Fax 413-587-1576

Edward S. Huntley, P.E.
Director

**REPORT AND RECOMMENDATION OF THE
BOARD OF PUBLIC WORKS TO THE CITY COUNCIL**

On July 10, 2014 the Northampton City Council referred to the Northampton Board of Public Works and the Northampton Planning Board a petition for the acceptance of **Scanlon Avenue**.

The Board of Public Works held a public hearing on August 20, 2014 and at its regular meeting on September 24, 2014 voted to **recommend the acceptance** of Scanlon Avenue as a public way.

Respectfully submitted
The Board of Public Works of the City of Northampton


Edward S. Huntley, P.E.

Director of Public Works
October 6, 2014

cc: Northampton Board of Public Works
Northampton Planning Board